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12 ANDREA M. WILLIAMS and  
13 JAMES STEWART

14  
15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN JOSE DIVISION

18  
19 ANDREA M. WILLIAMS AND JAMES  
20 STEWART, On Behalf of Themselves And  
All Others Similarly Situated,

21 Plaintiffs,

22 v.

23 APPLE INC.,

24 Defendant.

25 Case No. 5:19-cv-04700-LHK

26 **STIPULATION TO REQUEST THE COURT  
MODIFY THE CASE MANAGEMENT ORDER  
(ECF No. 64)**

27 Judge: The Hon. Lucy H. Koh  
28 Crtrm: 8, 4<sup>th</sup> Floor

1                   Plaintiffs Andrea M. Williams and James Stewart (“Plaintiffs”) and Defendant Apple Inc.  
 2 (“Apple”) (jointly, the “Parties”), through their undersigned counsel, hereby respectfully submit the  
 3 following stipulation and proposed order to extend time.

4                   **RECITALS**

5                   **WHEREAS**, on August 12, 2019, Plaintiffs initiated this action against Apple (ECF No. 1);

6                   **WHEREAS**, the Court’s Case Management Order issued on April 17, 2020 (ECF No. 37)  
 7 established certain initial deadlines, including deadlines for class certification, fact discovery, expert  
 8 discovery and reports, and dispositive motions;

9                   **WHEREAS**, the Court entered an Order Proposing Case Schedule on September 8, 2020 to  
 10 amend the Case Management Order (ECF No. 61) in the interests of judicial economy;

11                   **WHEREAS**, the Court’s Case Management Order issued September 17, 2020 (ECF No. 64)  
 12 set the now-current deadlines for class certification, fact discovery, expert discovery and reports, and  
 13 dispositive motions.

14                   **WHEREAS**, on December 18, 2020, Plaintiffs filed their Motion to Strike Apple’s  
 15 Affirmative Defenses and Prayer for Attorneys’ Fees (ECF No. 71) (“Motion to Strike”), which is now  
 16 fully briefed and awaiting ruling by the Court;

17                   **WHEREAS**, on January 8, 2021, Plaintiffs filed their Motion for Class Certification (ECF No.  
 18 77), which is now fully briefed and awaiting a ruling by the Court;

19                   **WHEREAS**, the Parties have met and conferred to agree upon a case schedule that will allow  
 20 for an efficient and orderly development of the case, and which will not unduly delay the proceedings  
 21 in this matter or the scheduled Final Pretrial Conference or Trial Date.

22                   **WHEREAS**, the Parties agree that there is good cause under Federal Rule of Civil Procedure  
 23 16(b) for an extension of the applicable deadlines in this action to allow for resolution of Plaintiffs’  
 24 pending Motion for Class Certification (ECF No. 77) and resolution of Plaintiffs’ pending Motion to  
 25 Strike, both of which bear on the scope of further fact and expert discovery.

26                   **NOW THEREFORE**, pursuant to Civil L. R. 6-1 and 6-2, to allow for an efficient and  
 27 orderly development of the case, which will not unduly delay the proceeding in this matter, the Parties  
 28 jointly stipulate (subject to the Court’s approval) to extend each of the following deadlines as set forth

1 below:

Scheduled Event	Current Deadline	Proposed Deadline
Close of Fact Discovery	May 21, 2021	June 28, 2021
Opening Expert Reports	June 11, 2021	July 19, 2021
Case Management Conference	June 16, 2021	June 23, 2021
Rebuttal Expert Reports	July 2, 2021	August 16, 2021
Close of Expert Discovery	July 19, 2021	September 2, 2021
Last Day to File Dispositive Motions (one per side in the entire case)	September 2, 2021	September 30, 2021
Hearing on Dispositive Motions	October 28, 2021 at 1:30 p.m.	November 18, 2021
Final Pretrial Conference	January 20, 2022 at 1:30 p.m.	Unchanged
Jury Trial	February 28, 2022 at 9:00 a.m.	Unchanged

14 **IT IS SO STIPULATED.**

15 Dated: May 11, 2021 COOLEY LLP

16  
17 */s/ Michelle C. Doolin*  
18 Michelle C. Doolin  
19 Attorneys for Defendant  
20 APPLE INC.

21 Dated: May 11, 2021 THE KATRIEL LAW FIRM, P.C.

22 */s/ Roy A. Katriel*  
23 Roy A. Katriel  
24 Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ANDREA M. WILLIAMS AND JAMES  
STEWART, On Behalf of Themselves And  
All Others Similarly Situated,

Plaintiffs,

APPLE INC

Defendant.

Case No. 5:19-cv-04700-LHK

**[PROPOSED] ORDER GRANTING  
STIPULATION TO MODIFY CASE  
MANAGEMENT ORDER (ECF No. 64)**

Judge: The Hon. Lucy H. Koh  
Crtrm: 8, 4<sup>th</sup> Floor

This matter comes before the Court on Plaintiffs Andrea M. Williams and James Stewart (“Plaintiffs”) and Defendant Apple Inc. (“Apple”) (jointly, the “Parties”) Stipulation to Modify Case Management Order (ECF No. 64). Upon consideration of the stipulation, declaration, and for good cause shown, the court hereby GRANTS the Parties’ Stipulation to Modify Case Management Order (ECF No. 64), and enters the following schedule:

Scheduled Event	Deadline
Close of Fact Discovery	June 28, 2021
Opening Expert Reports	July 19, 2021
Case Management Conference	June 23, 2021
Rebuttal Expert Reports	August 16, 2021
Close of Expert Discovery	September 2, 2021
Last Day to File Dispositive Motions (one per side in the entire case)	September 30, 2021
Hearing on Dispositive Motions	November 18, 2021
Final Pretrial Conference	Unchanged
Jury Trial	Unchanged

**IT IS SO ORDERED.**

Dated: May 13, 2021

By:   
Hon. Lucy H. Koh  
United States District Judge